



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

SPIERS et al.

Serial No.: 10/711,901

Filed: October 12, 2004

Atty. File No.: 47315.0040

For: "NON-VOLATILE MEMORY  
BACKUP FOR NETWORK  
STORAGE SYSTEM"

Group Art Unit: 2655

Examiner: not yet assigned

Confirmation No.: 5900

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313 ON <u>Feb. 4, 2005</u>.</p> <p style="text-align: center;">HOLLAND &amp; HART LLP</p> <p>BY: <u>[Signature]</u></p>
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**SUBMISSION OF MISSING PARTS**  
(37 C.F.R. §1.53(f))

Dear Sir:

In response to the Notice to File Missing Parts dated November 5, 2004, in connection with the above-identified application, enclosed herewith please find four copies of Declaration documents that have been executed by each of the inventors. A copy of the Notice to File Missing Parts is also enclosed.

Please debit Deposit Account No. 08-2623 for the amount of the surcharge. Please credit any overpayment or debit any underpayment to Deposit Account No. 08-2623.

Respectfully submitted,

HOLLAND & HART LLP

By: [Signature]  
Kenneth C. Winterton  
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Date: Feb. 4, 2005  
3290576\_1.DOC



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,901	10/12/2004	John Spiers	47315.0040

43378  
KENNETH C. WINTERTON  
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DENVER, CO 80201-8749

CONFIRMATION NO. 5900

**FORMALITIES LETTER**



\*OC000000014303384\*

Date Mailed: 11/05/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

02/09/2005 HALI11 00000095 082623 10711901

FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Meazo, W  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE